

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawaii 96813

January 12, 2007

Board of Land and  
Natural Resources  
Honolulu, Hawaii

REQUEST FOR AUTHORIZATION TO ISSUE ONE  
NORTHWESTERN HAWAIIAN ISLANDS STATE MARINE REFUGE  
RESEARCH, MONITORING AND EDUCATION PERMIT  
TO MR. DONALD PALAWSKI OF THE U.S. FISH AND WILDLIFE SERVICE,  
FOR MANAGEMENT ACTIVITIES WITHIN CERTAIN STATE WATERS,  
VALID FROM FEBRUARY 1, 2007 TO DECEMBER 31, 2007

The Division of Aquatic Resources (DAR) hereby submits a request to the Board of Land and Natural Resources (the "Board") for authorization to issue one Northwestern Hawaiian Islands (NWHI) State Marine Refuge Access and Activity Permit to Mr. Donald Palawski (the "Applicant") of the Department of the Interior, U.S. Fish and Wildlife Service, Hawaiian Islands National Wildlife Refuge. The Research, Monitoring and Education Permit, as described below, will continue to allow entry and management activities to occur in the NWHI State Marine Refuge (0-3 miles) waters surrounding the following sites:

- Nihoa Island,
- Necker Island (Mokumanamana),
- French Frigate Shoals,
- Laysan,
- Maro,
- Gardner Pinnacles,
- Lisianski Island, Neva Shoal,
- Pearl and Hermes Atoll.

The activities covered under this permit will occur from February 1, 2007 through December 31, 2007. A derivative NWHI State Marine Refuge Special Activities Permit is also being requested to allow a support vessel to be chartered by Applicant to enter the State waters thereof and to engage in support activities in conjunction with the underlying Research, Monitoring and Education Permit. These two permits currently applied for are necessary to continue the same management missions under two previous permits issued by the Board to Applicant and their support vessel for the year 2006, as amended.

INTENDED ACTIVITIES:

The U.S. Fish and Wildlife Service (FWS) is the federal agency responsible for the management of the Hawaiian Islands National Wildlife Refuge (HINWR) within the NWHI Marine National Monument (the "Monument"). The Refuge is also part of the National Wildlife Refuge System which encompasses a total of 95 million acres of lands and waters. Applicant Mr. Donald Palawski is the Refuge Manager. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, and conserves and restores wildlife habitats such as wetlands. The HINWR has been a federally-administered wildlife refuge since 1909, when it was established by President Theodore Roosevelt under Executive Order 1019.

For the current application, the purposes of the proposed activities are to enter the waters of the NWHI State Marine Refuge for HINWR management supports only. Under this permit application, the only uses of the State waters will be for logistical support of habitat and wildlife surveys on land via small boat operations, moving cargo and personnel from ship to shore for field camp resupply via small boat operations, and non-invasive, no-disturbance swimming and snorkeling for long term staff fitness maintenance.

Applicant claims that these activities are required for the continuation of the HINWR management. With the exception of Tern Island, the only way to reach the islands of the HINWR is by small boat, and the only way to deliver large amounts of cargo to Tern Island is also by small boat. With the establishment of the NWHI State Marine Refuge, the waters are now a shared jurisdiction with the State of Hawaii, and therefore full disclosure of all activities that take place in the waters for HINWR management is being presented within this permit application.

The scope of these proposed activities is as follows:

- 1) Small boat operations in support of habitat and wildlife surveys will occur in the waters surrounding Nihoa Island, the waters surrounding Necker Island, the waters of French Frigate Shoals, the waters surrounding Laysan Island, the waters surrounding Gardner Pinnacles, the waters of Neva Shoals (Lisianski Island), and the waters of Pearl and Hermes Atoll. This is due to the fact that all of these islands, with the exception of Tern Island, may only be reached by small boat. The small boat operations to visit the islets within French Frigate Shoals will originate from Tern Island. The small boats will not anchor at Nihoa, Necker, Laysan, Gardner Pinnacles or Lisianski. They will only drive up to the beach or landing site and deliver/pick-up personnel and as needed to conduct habitat and wildlife surveys on shore. At French Frigate shoals and Pearl and Hermes Atoll, the small boats will anchor at the various islets of the atoll as needed to safely deploy personnel to conduct habitat and wildlife surveys. All anchors will be lowered into place and will only be located in sandy substrate. No coral will be disturbed in any anchoring operation.

- 2) Small boat operations to move cargo and personnel will occur in the waters surrounding Nihoa Island, the waters surrounding Necker Island, the waters of French Frigate Shoals, the waters surrounding Laysan Island, the waters surrounding Gardner Pinnacles, the waters of Neva Shoals (Lisianski Island), and the waters of Pearl and Hermes Atoll. This is due to the fact that all of these islands, with the exception of Tern Island, may only be reached by small boat. At Tern Island we will be delivering cargo that is too large to safely transport by aircraft and therefore must be delivered from ship to shore via small boat operations. The small boats will not anchor at any of the islands for resupply efforts. They will only drive up to the beach or landing site and deliver/pick-up personnel and cargo as needed to support on island operations. At Tern Island, small boats will tie up to the dock, so no anchoring is necessary. The larger cargo vessel(s) (vessel(s) to be determined) will anchor at French Frigate Shoals, Laysan Island, Lisianski, and Pearl and Hermes Atoll. Ships will not anchor at Nihoa, Necker, or Gardner Pinnacles. Anchors will be placed in sandy substrate only. All other activities in the waters will be on the surface only and will not cause any interaction with wildlife or habitat.
- 3) Refuge Managers and field technicians will be stationed at these locations for up to six months at a time. For maintenance of their physical and mental health over such extended periods of time in these remote locations they must take part in regular physical activity and exercise. Therefore, they will conduct regular swimming and snorkeling activities. No disturbance to wildlife or any collections will occur during any swimming or snorkeling activities. FWS respectfully requests that anyone visiting the NWHI State Marine Refuge for more than two days be allowed to partake in snorkeling and swimming activities for this purpose.

Applicant and his staff will not perform any taking, collecting, sampling, catching or killing in the State Waters under this permit, nor intentionally interact with any wildlife, fish or corals.

#### HISTORY OF PREVIOUS PERMITS AND ACTIVITIES:

In September 2006, Applicant for the first time filed with DAR an application for a state permit for the same management purposes as listed above. A NWHI State Marine Refuge Research, Monitoring and Education Permit (DLNR.NWHI06R022) has been issued to Applicant (then Permittee under the previous permit) with authorization by the Board granted on September 22, 2006. It covers the period from October 1, 2006 through December 31, 2006. Another derivative Special Activity Permit (DLNR.NWHI06S004) was issued at the same time for identical terms to allow activities by the vessel support *M/V Kahana* then chartered by Applicant/Permittee.

Under the 2006 permit, Applicant/Permittee has conducted a cruise trip to the Islands of Nihoa, French Frigate Shoals, Laysan, Lisianski and Neva Shoal in October 2006. A post-cruise report has been timely filed with DAR on November 14, 2006 together with a log diary of the *M/V Kahana*. In this report, Applicant certified that all conditions of the two permits have been adhered to by all members of the ship's crew and by the FWS management personnel.

On November 30, 2006, Applicant/Permittee submitted to the Chairperson of the Board a request for an extension of the two previous permits for one more month until January 31, 2007. Such an extension would give FWS and Applicant sufficient time to file a new application for the 2007 year-round permit after the forging of the Memorandum of Agreement among the three NWHI co-trustee agencies. The request was granted by the Chairperson on December 8, 2006, and the permits were amended accordingly.

#### REVIEW PROCESS:

The new application for the 2007 permit was received by DAR on December 6, 2006 and is now attached hereinafter for your review.

#### Scientific Reviews:

The preliminary permit application was sent out on November 16, 2006 for review and comment to the following scientific and governmental entities: DAR staff (5), Division of Forestry and Wildlife, Historic Preservation Division, and the Monument, and two Native Hawaiian entities. No negative comments or questions have been raised by the reviewers since then.

DAR reviewers are generally supportive of this application with two specific suggestions. The first is that Applicant should inform and consult with DAR before each of their trips and submit post-cruise report to us after each trip. The second is that, since the support vessel(s) is not determined yet, the Special Use Permit for the vessel(s) will need to be withheld until it is identified and approved by staff.

DAR reviewers also agree with Applicant on his request to allow swimming and snorkeling activities for authorized personnel or visitors to the NWHI.

The Monument is in support of this application and will issue a similar Monument permit to Applicant for the same activities as proposed here.

#### Cultural Reviews:

The previous 2006 permit application has been brought to the attention of the State NWHI Cultural Working Group and some Native Hawaiians from different agencies and organizations, including the Office of Hawaiian Affairs, Center for Hawaiian Studies, and Kaho'olawe Island Reserve Commission. It was also one of the major discussion topics in the NWHI Cultural Working Group Meeting that was held on September 5, 2006. Applicant Donald Palawski was present and briefed the group on that application and the agency's long-term activity planning for the NWHI.

During the meeting, Applicant recognized that Nihoa is a particularly sensitive place and was looking for advice on what to do and not do, and on what is appropriate as far as number of times they should visit. The response was that it is difficult to do continuous cultural work if no cultural practitioners are there.

Another question was raised by some Native Hawaiians and supported by other group members as to whether there is an opportunity to send a cultural specialist with them to Nihoa. Applicant replied that FWS is interested in bringing young Native Hawaiians on their future NWHI missions if accommodation is possible. The Monument is also supportive of the suggestion.

To address these two concerns, the three co-trustee agencies arranged for the participation of Mr. Kekuewa Kikiloi in the October 2006 FWS cruise onboard the *M/V Kahana*. Mr. Kikiloi is a Native Hawaiian and a Cultural Specialist with the Monument and a Ph.D. candidate at the Center for Native Hawaiian Studies of the University of Hawaii. Before the vessel set sail, he organized and gave an onboard presentation to the crew and staff on Native Hawaiian cultural awareness issues, which is one of the permit conditions. During the cruise, he was able to go onto the Nihoa Island where he visited numerous culturally-significant and historical sites and conducted archeological research. On Nihoa, he also assisted in collecting seeds of native plants for replanting in other NWHI lands. These native species had been depleted in some areas in the NWHI due to the invasion of alien species. The replenishment efforts will help restoring the habitats in these areas.

Overall, Mr. Kikiloi's participation in the cruise was welcome and acclaimed by the Native Hawaiian community. Applicant has indicated that they will continue to be supportive of providing additional access for Native Hawaiian cultural studies whenever feasible.

On December 21, staff received formal comments from the Office of Hawaiian Affairs, which expressed supports for the FWS mission in the NWHI area and encourages further collaborations among the co-trustees and sharing of "the mandates and jurisdictions involved in the preservation of the natural and cultural resources of the NWHI".

Given the identical nature of the two permit applications and their closeness in time, another round of cultural review has not been conducted for the new application. In addition, during the review process for the previous permit, reviewers have already been informed that another FWS application for a 2007 year-round permit would be filed soon, and that as no other review would be conducted.

#### STAFF OPINION:

DAR staff is of the opinion that Applicant has properly demonstrated valid justifications for his application and should be allowed to enter the NWHI State waters and to conduct the activities therein as specified in the application with the following special instructions and conditions, which are in addition to the General Conditions imposed by the Application Guidelines:

1. Allow Applicant's management activities as specified in the permit application at the State waters surrounding Nihoa Island, Necker Island (Mokumanamana), French Frigate Shoals, Laysan, Maro, Gardner Pinnacles, Lisianski Island, Neva Shoal, Pearl and Hermes Atoll.

2. Allow the entry of designated vessel(s) into State waters to support Applicant's management activities at the State waters specified above. These vessel(s) shall be identified by Applicant to DAR staff with all relevant information at least thirty (30) days prior to its departure to the NWHI. Final approval by the Chairperson is needed to issue the Special Activity Permit to the vessel(s). These vessel(s) and the crew must be under the direct supervision of Applicant who shall be held responsible for all activities thereon.
3. Require Applicant to inform and consult with DAR of their cruise plan before each of their trips to the NWHI and submit a post-cruise report to after each trip during the year.
4. Direct that Applicant and his staff shall be briefed on Native Hawaiian cultural traditions and practices at least once a year, and that Applicant shall consider providing additional access for Native Hawaiian cultural studies or practices as appropriate.
5. Direct that the hulls of the support vessel and all tender vessels must be thoroughly and properly cleansed before each and every cruise to the NWHI. This procedure must be performed prior to each departure from the Main Hawaiian Islands even if the hulls are considered relatively clean, and shall be properly documented, records of which must be immediately submitted to DAR upon request.
6. Allow swimming and snorkeling for authorized personnel and visitors to the NWHI.
7. Direct that all forms of fishing, no matter for subsistence, commercial or recreational purposes, are prohibited in State waters.

RECOMMENDATION:

"That the Board authorize to issue, with stated conditions, a NWHI State Marine Refuge Research, Monitoring and Education Permit to Mr. Donald Palawski of the Department of the Interior, U.S. Fish and Wildlife Service, Hawaiian Islands National Wildlife Refuge, for access and certain activities within the designated State waters of the NWHI State Marine Refuge from February 1, 2007 through December 31, 2007; and


That the Board authorize to issue, with stated conditions and subject to prior approvals by DAR, a NWHI State Marine Refuge Special Activities Permit to one support vessel, valid only as under the supervision of Applicant Mr. Donald Palawski, for access and certain activities within the designated State waters of the NWHI State Marine Refuge for the same period of time."

Respectfully submitted,



DAN POLHEMUS  
Administrator

APPROVED FOR SUBMITTAL

  
PETER T. YOUNG  
Chairperson

## APPENDIX 1

**State of Hawai'i**  
**DLNR**  
**Northwestern Hawaiian Islands State Marine**  
**Refuge**  
**Permit Application Form**  
***Draft***

<i>For Office Use Only</i>	
Permit No:	
Expiration date:	
Date Appl. Received:	12/6/2006
Appl. Fee received:	N/A
NWHI Permit Review Committee date:	11/16/06
Board Hearing date:	1/12/2007
Post to web date:	1/5/2007

### Type of Permit

- ☐ I am applying for a **Research, Monitoring & Education** permit. (Complete and mail Application)
- ☐ This application is for a NEW project in the State Marine Refuge.
- ☐ This application is for an ANNUAL RENEWAL of a previously permitted project in the State Marine Refuge.
- ☐ I am applying for a permit for a **Native Hawaiian** permit. (Complete and mail Application)
- ☐ This application is for a NEW project in the State Marine Refuge.
- ☐ This application is for an ANNUAL RENEWAL of a previously permitted project in the State Marine Refuge.
- ☒ I am applying for a **Special Activity** permit. (Complete and mail Application)
- ☐ This application is for a NEW project in the State Marine Refuge.
- ☒ This application is for an ANNUAL RENEWAL of a previously permitted project in the State Marine Refuge.

Briefly describe **Special permit** activity:

This is a Special Activity permit application to perform U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration activities within the Northwestern Hawaiian Islands State Marine Refuge for the management of the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands Marine National Monument.

When will the NWHI activity take place?

- ☐ **Summer** (May-July of \_\_\_\_\_ (year))  
Note: Permit request must be received before February 1st  
Specific dates of expedition \_\_\_\_\_
- ☐ **Fall** (August-November) of \_\_\_\_\_ (year)  
Note: Permit request must be received before May 1<sup>st</sup>  
Specific dates of expedition \_\_\_\_\_

- ☒ **Other** 1 January 2007 through 31 December 2007.

**NOTE: INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

**Please Send Permit Applications to:**

NWHI State Marine Refuge Permit Coordinator  
State of Hawai'i  
Department of Land and Natural Resources  
Division of Aquatic Resources  
1151 Punchbowl Street, Room 330  
Honolulu, Hawai'i 96813  
*NWHI State Marine Refuge Permit Application*



**NWHI State Marine Refuge Permit Application**  
**See Appendix 2 for Application Instructions**

Section A – Applicant Information	
<p>1. Project Leader (attach Project Leader's CV or resume)</p> <p><input checked="" type="checkbox"/> CV attached</p> <p>Palawski, Donald, U  Name: Last, First, Middle Initial</p>	<p>Refuge Manager  Title</p>
<p>2. Mailing Address (Street/PO Box, City, State, Zip)</p> <p>Hawaiian Islands National Wildlife Refuge  P.O. Box 50167  Honolulu, HI 96850</p>	<p>Telephone (808)792-9550</p> <p>Fax (808)792-9585</p> <p>Email Address Don_Palawski@fws.gov</p>
<p>3. Affiliation (Institution/Agency/Organization)</p> <p>U.S. Fish and Wildlife Service  Pacific Remote Islands National Wildlife Refuge Complex</p>	<p>For graduate students, Major Professor 's Name &amp; Telephone</p> <p>N/A</p>
<p>4. Sub-Permittee/Assistant Names, Affiliations, and Contact Information <input type="checkbox"/> CV or resume attached</p> <p>Angela Anders, Joshua Boadway, Kelly Boadway, Jamus Drury, Elizabeth Flint, Scott Freeman, Norman Garon, Morgan Gilmour, Dominique Horvath, Frans Juola, James Maragos, Barbara Mayer, Frank Mayer, Michael McGoey, Nicholas Methany, Ryan Murdoff, Monika Parsons, Cynthia Rehkemper, E. H. Roy, Laura Turmel, LeeAnn Woodward, David Zabriskie.</p> <p>There will be several additional volunteers and field technicians selected to work at Tern Island and Laysan Island throughout the year. These names will be submitted to the State of Hawaii Department of Land and Natural Resources in formal updates for the permit files. Each individual will be required to read and comply with the resulting permit.</p> <p>All sub-permittees are affiliated with the U.S. Fish and Wildlife Service, Pacific Remote Islands National Wildlife Refuge Complex and may be contacted at the following:</p> <p>P.O. Box 50167  Honolulu, HI 96850</p> <p>808-792-9550 (phone)  808-792-9585 (fax)</p> <p>Additionally, the USFWS will charter a cargo vessel, To Be Determined, one or two times during calendar year 2007. All crew and details of the charter contractor will be submitted to the State of Hawaii Department of Land and Natural Resources in formal updates for the permit files no less than 30 days prior to departure for the Hawaiian Islands National Wildlife Refuge.</p>	
<p>5. Project Title</p> <p>U.S. Fish and Wildlife Service (FWS) activities within the Northwestern Hawaiian Islands State Marine Refuge for the management of the Hawaiian Islands National Wildlife Refuge and the Northwestern Hawaiian Islands Marine National Monument.</p>	
<p>6. Applicant Signature</p> <p><i>Donald Palawski</i></p>	<p>7. Date (mm/dd/yyyy)</p> <p>11/29/06</p>

**Section B: Project Information**

**8. (a) Project Location**

☒ NWHI State Marine Refuge (0-3 miles) waters surrounding:

- ☒ Nihoa Island
- ☒ Necker Island (Mokumanamana)
- ☒ French Frigate Shoals
- ☒ Laysan
- ☒ Maro
- ☒ Gardner Pinnacles
- ☒ Lisianski Island, Neva Shoal
- ☒ Pearl and Hermes Atoll
- ☐ Kure Atoll, State Wildlife Refuge
- ☐ Other NWHI location

Describe project location (include names, GPS coordinates, habitats, depths and attach maps, etc. as appropriate).

Any cargo vessel used to resupply or deploy FWS field camps (details for section 21 of this application will be provided no later than 30 days prior to any departure for the NWHI State Marine Refuge) will anchor at French Frigate Shoals (23° 50.645 North 166° 16.493 West), Laysan Island (25° 46.457 North 171° 45.288 West), Lisianski (26° 04.124 North 174° 00.749 West), and Pearl and Hermes Atoll (27° 46.708 North 175° 49.124 West). Ships would not anchor at Nihoa, Necker, Maro or Gardner Pinnacles. Anchors will be placed in sandy substrate only. All other activities in the waters will be on the surface only and will not cause any interaction with wildlife or habitat.

**(b) check all actions to be authorized:**

☒ Enter the NWHI Marine Refuge waters

- ☐ Take (harvest)                      ☐ Possess                      ☐ Transport (☐ Inter-island    ☐ Out-of-state)
- ☐ Catch                                      ☐ Kill                              ☐ Disturb                      ☐ Observe
- ☒ Anchor                                      ☒ Land (go ashore)                      ☐ Archaeological research
- ☐ Interactions with Sea Turtles or Monk Seals                      ☐ Interactions with Seabirds
- ☐ Interactions with Live Coral, Ark Shells or Pearl Oysters
- ☐ Interactions with Jacks, Grouper or Sharks
- ☐ Conduct Native Hawaiian religious and/or cultural activities
- ☐ Other activities \_\_\_\_\_

**(c) Collection of specimens – collecting activities (would apply to any activity): N/A**

**Organisms or objects (List of species, if applicable, add additional sheets if necessary):**

Common name	Scientific name	No. & size of specimens	Collection Location(s)
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N/A

(d) What will be done with the specimens after the project has ended?

N/A

(e) Will the organisms be kept alive after collection? ☐ yes ☐ no N/A

- Specific site/location \_\_\_\_\_
- Is it an open or closed system? ☐ open ☐ closed N/A
- Is there an outfall? ☐ yes ☐ no N/A
- Will these organisms be housed with other organisms? If so, what are the other organisms?

N/A

(Please attach additional documentation as needed to complete the questions listed below)

9. Purpose/Need/Scope:

- State purpose of proposed activities:

The U.S. Fish and Wildlife Service manages the Hawaiian Islands National Wildlife Refuge (HINWR) within the Northwestern Hawaiian Islands (NWHI). This refuge is part of the National Wildlife Refuge System, a 95-million acre system of lands and waters where wildlife comes first.

The FWS is the principal federal agency responsible for conserving, protecting, and enhancing fish, wildlife, and plants and their habitats for the continuing benefit of the American people. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts.

The purposes of the proposed activities are to enter the waters of the NWHI State Marine Refuge for HINWR management support only. Under this permit application the only uses of the waters would be for logistical support of habitat and wildlife surveys on land via small boat operations, moving cargo and personnel from ship to shore for field camp resupply via small boat operations, and non-invasive no-disturbance swimming and snorkeling for long term staff fitness maintenance.

These activities are required for the continuation of HINWR management. With the exception of Tern Island, the only way to reach the islands of the HINWR is by small boat, and the only way to deliver large amounts of cargo to Tern Island is by small boat. With the establishment of the NWHI State Marine Refuge, the waters are now a shared jurisdiction with the State of Hawaii, and therefore full disclosure of all activities that take place in the waters for HINWR management is being presented within this permit application.

The scope of these activities is as follows:

1) Small boat operations in support of habitat and wildlife surveys will occur in the waters surrounding Nihoa Island, the waters surrounding Necker Island, the waters of French Frigate Shoals, the waters surrounding Laysan Island, the waters surrounding Gardner Pinnacles, the waters of Neva Shoals (Lisianski Island), and the waters of Pearl and Hermes Atoll. This is due to the fact that all of these islands, with the exception of Tern Island, may only be reached by small boat. The small boat operations to visit the islets within French Frigate Shoals will originate from Tern Island. The small boats will not anchor at Nihoa, Necker, Laysan, Gardner Pinnacles or Lisianski. They will only drive up to the beach or landing site and deliver/pick-up personnel and as needed to conduct habitat and wildlife surveys on shore. At French Frigate shoals and Pearl and Hermes Atoll, the small boats will anchor at the various islets of the atoll as needed to safely deploy personnel to conduct habitat and wildlife surveys. All anchors will be lowered into place and will only be located in sandy substrate. No coral will be disturbed in any anchoring operation.

2) Small boat operations to move cargo and personnel will occur in the waters surrounding Nihoa Island, the waters surrounding Necker Island, the waters of French Frigate Shoals, the waters surrounding Laysan Island, the waters surrounding Gardner Pinnacles, the waters of Neva Shoals (Lisianski Island), and the waters of Pearl and Hermes Atoll. This is due to the fact that all of these islands, with the exception of Tern Island, may only be reached by small boat. At Tern Island we will be delivering cargo that is too large to safely transport by aircraft and therefore must be delivered from ship to shore via small boat operations. The small boats will not anchor at any of the islands for resupply efforts. They will only drive up to the beach or landing site and deliver/pick-up personnel and cargo as needed to support on island operations. At Tern Island, small boats will tie up to the dock, so no anchoring is necessary. The larger cargo vessel(s) (vessel(s) to be determined) will anchor at French Frigate Shoals (23° 50.645 North 166° 16.493 West), Laysan Island (25° 46.457 North 171° 45.288 West), Lisianski (26° 04.124 North 174° 00.749 West), and Pearl and Hermes Atoll (27° 46.708 North 175° 49.124 West). Ships will not anchor at Nihoa, Necker, or Gardner Pinnacles. Anchors will be placed in sandy substrate only. All other activities in the waters will be on the surface only and will not cause any interaction with wildlife or habitat.

3) Refuge Managers and field technicians will be stationed at these locations for up to six months at a time. For maintenance of their physical and mental health over such extended periods of time in these remote locations they must take part in regular physical activity and exercise. Therefore, they will conduct regular swimming and snorkeling activities. No disturbance to wildlife or any collections will occur during any swimming or snorkeling activities. FWS respectfully requests that anyone visiting the NWHI State Marine Refuge for more than two days be allowed to partake in snorkeling and swimming activities for this purpose.

Describe how your proposed activities will help provide information or resources to fulfill the State Marine Refuge purpose and to reach the Refuge goals and objectives.

The FWS will perform coordinated management of NWHI State Marine Refuge and the NWHI Marine National Monument with the State of Hawaii and NOAA to ensure proper care and preservation of historic and scientific resources.

- Give reasons why this activity must take place in the NWHI and cannot take place in the Main Hawaiian Islands, or elsewhere.

This application is for support of field operations in the NWHI which therefore cannot take place elsewhere.

- Describe context of this activity, include history of the science for these questions and background.

The HIWNR has been a Federally administered wildlife refuge since 1909, when it was established by President Theodore Roosevelt under Executive Order 1019, and therefore these activities have been taking place as management activities for nearly 100 years.

- Explain the need for this activity and how it will help to enhance survival or recovery of refuge wildlife and habitats.

The FWS will perform coordinated management of NWHI State Marine Refuge and the Northwestern Hawaiian Islands Marine National Monument with the State of Hawaii and NOAA to ensure proper care and preservation of historic and scientific resources.

- Describe how your proposed project can help to better manage the State Marine Refuge.

The FWS will perform coordinated management of NWHI State Marine Refuge and the Northwestern Hawaiian Islands Marine National Monument with the State of Hawaii and NOAA to ensure proper care and preservation of historic and scientific resources.

10. Procedures (include equipment/materials)

The following refuge management procedures and administrative activities will be routinely conducted by FWS employees, contractors, volunteers or other Federal employees under the direction and administrative control of the Refuge Manager in accordance with Presidential Proclamation 8031 and the National Wildlife Refuge System Administration Act of 1966, as amended.

1) Small boat operations in support of habitat and wildlife surveys will occur in the waters surrounding Nihoa Island, the waters surrounding Necker Island, the waters of French Frigate Shoals, the waters surrounding Laysan Island, the waters surrounding Gardner Pinnacles, the waters of Neva Shoals (Lisianski Island), and the waters of Pearl and Hermes Atoll. This is due to the fact that all of these islands, with the exception of Tern Island, may only be reached by small boat. The small boat operations to visit the islets within French Frigate Shoals will originate from Tern Island. The small boats will not anchor at Nihoa, Necker, Laysan, Gardner Pinnacles or Lisianski. They will only drive up to the beach or landing site and deliver/pick-up personnel and as needed to conduct habitat and wildlife surveys on shore. At French Frigate shoals and Pearl and Hermes Atoll, the small boats will anchor at the various islets of the atoll as needed to safely deploy personnel to conduct habitat and wildlife surveys. All anchors will be lowered into place and will only be located in sandy substrate. No coral will be disturbed in any anchoring operation.

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3) Refuge Managers and field technicians will be stationed at these locations for up to six months at a time. For maintenance of their physical and mental health over such extended periods of time in these remote locations they must take part in regular physical activity and exercise. Therefore, they will conduct regular swimming and snorkeling activities. No disturbance to wildlife or any collections will occur during any swimming or snorkeling activities. FWS respectfully requests that anyone visiting the NWHI State Marine Refuge for more than two days be allowed to partake in snorkeling and swimming activities for this purpose.

11. Funding sources (attach copies budget & funding sources).

All funding is provided through annual United States Congressional Appropriations for U.S. Fish and Wildlife Service, Hawaiian Islands National Wildlife Refuge management. No attachments are included.

12. List all literature cited in this application as well as all other publications relevant to the proposed project.

N/A

<p>13. What types of insurance do you have in place? (attach documentation)</p> <p>Any cargo vessel will comply with required insurance requirements and documentation of such will be forthcoming.</p> <p><input checked="" type="checkbox"/> Wreck Removal</p> <p><input checked="" type="checkbox"/> Pollution</p>
<p>14. What certifications/inspections do you have scheduled for your vessel? (attach documentation)</p> <p>These inspections will be scheduled for dates closer to the departure dates to better ensure that no introductions of alien species are made after the inspections and before entering the NWHI State Marine Refuge. Scott Godwin, HIMB, will conduct the Hull inspection, tender vessel inspection, and ballast water inspection. FWS is self inspected as a Federal agency.</p> <p><input checked="" type="checkbox"/> Rat free      <input checked="" type="checkbox"/> tender vessel      <input type="checkbox"/> gear/equipment</p> <p><input checked="" type="checkbox"/> Hull inspection      <input checked="" type="checkbox"/> ballast water</p>
<p>15. Other permits (list and attach documentation of all other required Federal or State permits).</p> <p>A permit application will be submitted to the NWHI Marine National Monument for these activities.</p>
<p>16. Project's relationship to other research projects within the NWHI State Marine Refuge, National Wildlife Refuge, NWHI Coral Reef Ecosystem Reserve, or elsewhere.</p> <p>N/A</p>

Section C: Logistics	
17. Time Frame:	
Project Start Date 1 January 2007	Project Completion Date 31 December 2007
Dates actively inside the State Marine Refuge. 1 January 2007 – 31 December 2007	
Personnel schedule in the State Marine Refuge (describe who will be where and when). FWS Personnel or maintenance and logistical support contractors may be within the NWHI State Marine Refuge at the following locations anytime throughout the year for Hawaiian Islands National Wildlife Refuge Management purposes: The waters surrounding Nihoa Island The waters surrounding Necker Island The waters of French Frigate Shoals The waters of Maro Reef The waters surrounding Gardner Pinnacles The waters surrounding Laysan Island The waters of Neva Shoals (Lisianski Island) The waters of Pearl and Hermes Atoll	
18. Gear and Materials N/A <input type="checkbox"/> Dive equipment <input type="checkbox"/> Radio Isotopes <input type="checkbox"/> Collecting Equipment <input type="checkbox"/> Chemicals (specify types)	

19. Fixed installations and instrumentation. N/A

- ☐ Transect markers      ☐ Acoustic receivers  
☐ Other (specify) \_\_\_\_\_

20. Provide a time line for sample analysis, data analysis, write-up and publication of information.

N/A

**21. Vessel Information:**

Information for this section cannot be supplied at this time. Cargo vessels contracted for uses described above have not been contracted by FWS at this time. The following information will be submitted formally no later than 30 days prior to any departure for the NWHI State Marine Refuge.

Vessel Name \_\_\_\_\_ IMO Number \_\_\_\_\_  
Vessel Owner \_\_\_\_\_ Flag \_\_\_\_\_  
Captain's Name \_\_\_\_\_ Chief Scientist or Project Leader \_\_\_\_\_  
Vessel Type \_\_\_\_\_ Call sign \_\_\_\_\_  
Length \_\_\_\_\_ Gross tonnage \_\_\_\_\_  
Port of Embarkation \_\_\_\_\_  
Last port vessel will have been at prior to this embarkation \_\_\_\_\_  
Total Ballast Water Capacity: Volume \_\_\_\_\_ m3 Total number of tanks on ship \_\_\_\_\_  
Total Fuel Capacity: \_\_\_\_\_ Total number of fuel tanks on ship \_\_\_\_\_  
Other fuel/chemicals to be carried on board and amounts:

Number of tenders/skiffs aboard and specific type of motors:

Does the vessel have the capability to hold sewage and grey-water? Describe in detail.

Does the vessel have a night-time light protocol for use in the NWHI? Describe in detail (attach additional pages as necessary)

On what workboats (tenders) will personnel, gear and materials be transported within the State Marine Refuge?

For work at Tern Island that includes inter-islet transit the following workboats will be used:

- 19' Safeboat with two 60 horse power 4-stroke Mercury engines
- 17' Boston Whaler with one 50 horse power 4-stroke Honda engine and one 9.9 horse power 4-stroke Honda engine
- 17' Boston Whaler with one 50 horse power 4-stroke Honda engine and one 9.9 horse power 4-stroke Honda engine
- 17' Boston Whaler with one 50 horse power 4-stroke Yamaha engine

How will personnel, gear and materials be transported between ship and shore?

This information will be provided when the cargo vessels are contracted as they will be responsible for providing small boat support from ship to shore.

If applicable, how will personnel be transported between islands within any one atoll?

For work at Tern Island that includes inter-islet transit the following workboats will be used:

- 19' Safeboat with two 60 horse power 4-stroke Mercury engines
- 17' Boston Whaler with one 50 horse power 4-stroke Honda engine and one 9.9 horse power 4-stroke Honda engine

17' Boston Whaler with one 50 horse power 4-stroke Honda engine and one 9.9 horse power 4-stroke Honda engine

17' Boston Whaler with one 50 horse power 4-stroke Yamaha engine



**CV**  
**Donald Palawski, Refuge Manager**  
**Pacific Remote Islands National Wildlife Refuge Complex**  
**U.S. Fish and Wildlife Service**  
**P.O. Box 50167**  
**Honolulu, HI 96850**

Don Palawski has worked for the U.S. Fish and Wildlife Service for 29 years. He is currently the Refuge Manager of the Pacific Remote Islands National Wildlife Refuge Complex that consists of eight refuges in the Central Pacific Ocean. He manages the Hawaiian Islands National Wildlife Refuge, which encompasses the islands and atolls that extend from Nihoa Island to Pearl and Hermes Reef in the Northwestern Hawaiian Islands and includes year-round field camps at Tern Island and Laysan Island. He also is responsible for managing Rose Atoll National Wildlife Refuge in American Samoa and six other Central Pacific refuges that are unincorporated U.S. insular possessions (Baker Island, Howland Island, Jarvis Island, Johnston Island, Kingman Reef, and Palmyra Atoll).

Before coming to Hawaii 11 years ago, Don worked at U.S. Fish and Wildlife Service Field Offices in Montana, California and Missouri. He has a Bachelor of Science in Fisheries Management from Michigan State University and a Master of Science in Entomology. from the University of Missouri.